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In re Application of
Elke Pogge Von Strandmann
Application No.: 10/019,708
PCT No.: PCT/EP00/01822
Int. Filing Date: 22 February 2000
Priority Date: 25 February 1999
Attorney Docket No.: POGGE VON
STRANDMANN (PCT)
For: Preparation For The Treatment Of
Pigmentation Disorders

DECISION ON
PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed on 27 December 2001 in the above-captioned application is hereby **GRANTED** as follows:

The appropriate petition fee as required by 37 CFR 1.17(m) has been submitted.

All of the requirements of 37 CFR 1.137(b) for revival have been submitted.

Applicant's statement that "the application became abandoned unintentionally" has been interpreted as meaning that the "entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" as required by 37 CFR 1.137(b)(3) at the time of filing this petition. If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

A review of the declaration of the inventor filed 27 December 2001 reveals that it is in compliance with 37 CFR 1.497. Since the translation of the international application and the declaration of the inventor were submitted after 30 months from the priority date claimed of 25 February 1999, an amount of \$195.00, including \$130.00 processing fee (fee code 156) for submitting a translation after 30 months, \$65.00 surcharge (fee code 154) for filing

an oath or declaration after 30 months, will be charged to Counsel's Deposit Account No. 03-2468, as authorized in the Transmittal Letter accompanying this petition.

Since the international application has an international filing date after 08 June 1995, no terminal disclaimer is required.

Applicant's claim for priority is acknowledged. The application has an international filing date of 22 February 2000 under 35 U.S.C. 363 and a date of 27 December 2001 under 35 U.S.C. 371.

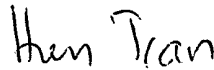
The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National Stage in the United States of America.

The application is being forwarded to the National Stage Processing Division for processing in accordance with this decision, that is, for charging \$65.00 (fee code 154) and \$130.00 (fee code 156) to Counsel's Deposit Account No. 03-2468, for issuance of a "Notification of Acceptance of Application" under 35 U.S.C. 371(c) and 37 CFR 1.495 (Form PCT/DO/EO/903) and for preparation and mailing of a filing receipt.



Leonard E. Smith
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